

SUPERIOR COURT OF ARIZONA
MARICOPA COUNTY

CR2013-001614-001 DT

07/28/2016

HON. ROSA MROZ

CLERK OF THE COURT

J. Matlack

Deputy

STATE OF ARIZONA

SUSIE CHARBEL

v.

MOISES HERNANDEZ LAGUNAS (001)

TONYA J PETERSON

TAYLOR W FOX

MICHAEL TERRIBILE

CAPITAL CASE MANAGER

CITS - CCC SPANISH

CAPITAL/COMPLEX CASE MANAGEMENT CONFERENCE

8:49 a.m.

Courtroom

State's Attorney:	Susie Charbel
Defendant's Attorney:	Tonya Peterson
Defendant:	Present
Interpreter:	Sylvia Fisher

Court Reporter, Shayna Montgomery, is present.

A record of the proceedings is also made digitally.

LET THE RECORD REFLECT that Michael Terribile is present on behalf of the Mexican Consulate.

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Discussion held regarding the Defendant's Motion for Extension of Defense Mitigation Disclosure Deadline of July 31, 2016. The State does not object.

IT IS ORDERED granting the Defendant's Motion for Extension of Defense Mitigation Disclosure Deadline of July 31, 2016, and adopting the proposed new deadlines as follows:

1. The defense shall disclose the specific information required to be disclosed under Criminal Rule 15.2(h)(1)(mitigating circumstances; aggravation and penalty phase) by **October 31, 2016**.
2. The State shall disclose the specific information required to be disclosed under Criminal Rule 15.1(i)(5)(penalty phase and rebuttal for aggravation phase) by **December 31, 2016**.
3. The defense shall disclose the specific information required to be disclosed under Criminal Rule 15.2(h)(3)(rebuttal to penalty phase and surrebuttal for aggravation phase) by **February 28, 2016**.

Discussion held regarding the status of the case. CITS indicates that they have the 4 interviews of Spanish-speaking witnesses conducted by State expert Sergio Martinez but has not yet assigned these interviews for translation. CITS indicates that it will take approximately four months to complete. The Court cannot proceed with the *Atkins* hearing until these interviews are translated. The issue regarding the constitutionality of Arizona's intellectual disability statute is still pending at the Arizona Supreme Court. The parties are continuing to do interviews.

After discussion,

IT IS ORDERED affirming the Trial date of ***April 10, 2017 at 9:30 a.m.*** in this division.

IT IS FURTHER ORDERED affirming Final Trial Management Conference (FTMC) on ***March 24, 2017 at 8:30 a.m.*** before Judge Rosa Mroz.

IT IS FURTHER ORDERED setting next Capital/Complex Case Management Conference on ***October 13, 2016 at 8:30 a.m.*** in this division.

JOINT CASE MANAGEMENT REPORTS:

No less than two working days before each Case Management Conference, the parties shall file a Joint Case Management Report. This report will inform the court of:

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1. The specific progress made since the last Case Management Conference in completing activities previously established by the court and the parties;
2. Specific case preparation to be completed before the next Case Management Conference;
3. Witnesses who have been interviewed in the preceding month;
4. Witnesses who will be interviewed in the upcoming month;
5. Pending issues to be resolved.

IT IS ORDERED that no time be excluded. LAST DAY REMAINS: May 10, 2017.

IT IS FURTHER ORDERED affirming prior custody orders.

8:53 a.m. Matter concludes.